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Implementation of the Declaration on the Granting of Independence to Colonial Countries and Peoples

Security Council
Seventy-second year

Letter dated 25 April 2017 from the Permanent Representative of Ecuador to the United Nations addressed to the Secretary-General

I have the honour to transmit herewith a resolution of the National Assembly of Ecuador expressing concern with regard to the continuing violation of the human rights and fundamental freedoms of the Sahrawi people and calling for implementation of Security Council resolution 690 (1991) concerning the establishment of the United Nations Mission for the Referendum in Western Sahara and the organization of a referendum to allow the people of Western Sahara to exercise their right to self-determination (see annex).

I should be grateful if you would circulate this letter and its annex as a document of the General Assembly, under agenda item 58, and of the Security Council, under the item entitled "The situation concerning Western Sahara".

(*Signed*) Horacio **Sevilla Borja**
Ambassador
Permanent Representative of Ecuador

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Please recycle

Annex to the letter dated 25 April 2017 from the Permanent Representative of Ecuador to the United Nations addressed to the Secretary-General

National Assembly of the Republic of Ecuador

The plenary,

Whereas

Article 1 of the Charter of the United Nations states that it is a purpose of the United Nations to develop friendly relations among nations based on respect for the principle of equal rights and self-determination of peoples, and to take other appropriate measures to strengthen universal peace;

The Declaration on the Granting of Independence to Colonial Countries and Peoples solemnly proclaims the necessity of bringing to a speedy and unconditional end colonialism in all its forms and manifestations and declares that all peoples have the right to self-determination, whereby they may freely determine their political status and freely pursue their economic, social and cultural development, and that immediate steps shall be taken, in occupied territories or all other territories which have not yet attained independence, to transfer all powers to the peoples of those territories, without any conditions or reservations, in accordance with their freely expressed will and desire, without any distinction as to race, creed or colour, in order to enable them to enjoy complete independence and freedom;

On 30 August 1988, the Kingdom of Morocco and the Frente Popular para la Liberación de Saguía el-Hamra y de Río de Oro accepted the settlement proposals presented by the Secretary-General of the United Nations and the then current Chairman of the Assembly of Heads of State and Government of the Organization of African Unity;

The Security Council, in its resolution 690 (1991) of 29 April 1991, decided to establish, under the authority of the Secretary-General of the United Nations, a United Nations mission to organize, in cooperation with the Organization of African Unity, a referendum for self-determination of the people of Western Sahara, in accordance with the report of the Secretary-General of 19 April 1991 (S/22464);

On 8 February 2006, the joint communiqué on the establishment of diplomatic relations between the Republic of Ecuador and the Sahrawi Arab Democratic Republic entered into force;

Article 3 of the Universal Declaration of Human Rights establishes the right to life, liberty and security of person, and article 9 establishes that no one shall be subjected to arbitrary arrest, detention or exile;

It is the duty of States to condemn any subjection of peoples to alien subjugation, domination and exploitation, in order to guarantee fundamental human rights, in accordance with the Charter of the United Nations, and reaffirm their commitment to global peace and cooperation;

On Friday, 18 March 2016, the Government of Morocco demanded the departure of the civilian component of the United Nations Mission for the Referendum in Western Sahara (MINURSO), which had been established following the approval by the Security Council of the report of the Secretary-General of 18 June 1990 (S/21360). The essential aim of the proposals by the Secretary-General of the United Nations is to enable the people of the Territory of Western Sahara to exercise their right to self-determination and independence, by organizing a transition period starting with the entry into force of the ceasefire and ending with the announcement of

the results of the referendum. So that a referendum may be organized, Morocco undertakes to effect an appropriate, substantial and phased reduction of its troops in Western Sahara;

In 2013, 25 persons were sentenced to prison terms ranging from 25 years to life imprisonment for the events that occurred in the Gdim Izik camp, located on the outskirts of Laayoune, the dismantling of which ended in the tragic killing of civilians in 2011. Since Tuesday, 1 March 2016, 13 of the 25 prisoners have gone on hunger strike in the Salé prison near Rabat, demanding their release;

In exercise of its constitutional and legal powers,

Hereby resolves to

Article 1 — Express concern about the ongoing subjugation of the Sahrawi people, the violation of their human rights and fundamental freedoms, and the illegal exploitation of their natural resources for over 40 years, which might well constitute a breach of the purposes and principles of the Charter of the United Nations and the Declaration on the Granting of Independence to Colonial Countries and Peoples.

Article 2 — Call for the implementation of Security Council resolution 690 (1991), by means of which the Security Council agreed to establish a United Nations mission to organize and ensure a referendum on self-determination for the people of Western Sahara, thereby avoiding a possible return to war between the Sahrawi Arab Democratic Republic and the Kingdom of Morocco. It is essential to respect the will, sovereign rights and desire of a people to obtain independence. Consequently, it is suggested that the referendum process in Western Sahara should be stepped up and completed, and that the mandate of MINURSO should include the monitoring and reporting of human rights violations in Sahrawi territory.

Article 3 — Support and express solidarity with the 25 political prisoners who were convicted because of their peaceful political activism and participation in the events that occurred in the Gdim Izik camp and who have been held under arbitrary detention for five and a half years, and call for their immediate release and that of all other Sahrawi political prisoners in Morocco.

Article 4 — Express solidarity with the struggle for liberation and self-determination maintained by the Sahrawi people since 1970. The Sahrawi civilian population fled the cities of Western Sahara to the areas controlled by the Frente Polisario and, for more than 40 years, approximately 200,000 people have lived in refugee camps in Tindouf in the Republic of Algeria, awaiting a referendum on self-determination. Currently, the Sahrawi people are largely dependent on international humanitarian aid for food.

Article 5 — Communicate the present resolution to the Embassy of the Sahrawi Arab Democratic Republic in Ecuador, so that it can inform the authorities and people of the Sahrawi Arab Democratic Republic thereof.

Done and signed at the headquarters of the National Assembly, located in the Quito Metropolitan District, Pichincha province, on 14 April 2016.

(*Signed*) Rosana **Alvarado Carrión**
First Vice-President
Acting President

(*Signed*) Libia **Rivas Ordóñez**
Secretary-General